

FIRST REGULAR SESSION

HOUSE BILL NO. 837

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES FRAKER (Sponsor), DUGGER, REDMON, ROWLAND,
LICHTENEGGER, BURLISON, WEBB AND MESSENGER (Co-sponsors).

1627H.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 196.291, RSMo, and to enact in lieu thereof one new section relating to food prepared for fundraising events.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 196.291, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 196.291, to read as follows:

196.291. **1.** All sales of foods which are not potentially hazardous foods, as defined by regulation, sold by religious, charitable, or nonprofit organizations at their religious events or at charitable functions and activities shall be exempt from all state laws and regulations relating to food inspection, pursuant to sections 196.190 to 196.271.

2. If a nonprofit, religious, or charitable organization prepares potentially hazardous food, in a private home or other area, for distribution to the end consumer at a fundraising event for a charitable purpose, the nonprofit, religious, or charitable organization shall notify consumers by a clearly visible placard at the serving location that the food was prepared in a kitchen that is not subject to regulation and inspection by the local public health authority.

3. The nonprofit, religious, or charitable organization shall notify the local public health authority in writing at least fourteen calendar days prior to the beginning of the event. Notification shall include the following:

(1) The name of the nonprofit, religious, or charitable organization;

(2) The date, time, and location of the event;

(3) The name and contact information of the person responsible for the event; and

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **(4) A list of foods that will be prepared.**

18 **4. The provisions of this section do not apply to food prepared for a fundraising**
19 **event by a restaurant, caterer, or other establishment that is subject to regulation and**
20 **inspection by the department of health and senior services.**

21 **5. The provisions of subsections 2 and 3 of this section shall only apply to the sale**
22 **of foods at fundraising events that are open to the public and are held for the sole purpose**
23 **of raising funds.**

24 **6. The department of health and senior services shall have the authority to**
25 **promulgate rules and regulations excluding foods and practices that are associated with**
26 **an elevated risk of foodborne illness and to limit the frequency and duration of any events.**

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